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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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AZ CORP COMMISSION
DOCUMENT CONTROLWILLIAM A. MUNDELL
CHAIRMANJIM IRVIN
COMMISSIONERMARC SPITZER
COMMISSIONER

DOCKETED BY

jmc

IN THE MATTER OF THE APPLICATION OF
LIVCO WATER COMPANY FOR A RATE
INCREASE.

DOCKET NO. W-02121A-02-0491

IN THE MATTER OF THE APPLICATION OF
LIVCO SEWER COMPANY FOR A RATE
INCREASE.

DOCKET NO. SW-02563A-02-0490

THIRD
PROCEDURAL ORDER**BY THE COMMISSION:**

On June 28, 2002, Livco Water Company ("LWC") and Livco Sewer Company ("LSC") (collectively "Applicants") filed Applications for an increase in their water and sewer rates in the above-captioned dockets, respectively. Pursuant to A.A.C. R14-2-103, LWC has been classified as a Class D utility and LSC has been classified as a Class E utility.

On July 18, 2002, the Arizona Corporation Commission ("Commission") Utilities Division ("Staff") filed a Motion to Consolidate ("Motion") the above-captioned Applications stating that they are substantially related and that the rights of the parties would not be prejudiced by consolidation. Staff further requested that, in the consolidated proceeding both LWC and LSC be considered as Class D utility companies under A.A.C. R14-2-103. The Commission received no objection to Staff's Motion.

On July 29, 2002, Staff filed Sufficiency Letters with respect to the Applications of LWC and LSC, which indicated that their Applications had met the sufficiency requires of A.A.C. R14-2-103. With respect to LSC, Staff noted in its Sufficiency Letter that although it had been classified as a Class E utility for rate making purposes, Staff pointed out that the Motion had been filed to consolidate the two proceedings and that, if the Motion was granted, subsequent filings and final Commission action would take place under the Time Clock for LWC, a Class D utility.

On July 31, 2002, by Procedural Order, the applications of LWC and LSC were consolidated


1 Accordingly, Applicants' request for an extension of time to file, on or before May 3, 2003,
2 updated test year data ending December 31, 2002 is reasonable and should be granted.

3 IT IS THEREFORE ORDERED that the Time Clock Rule, A.A.C. R14-2-103(B), in the
4 Applications for rate increases of Livco Water Company and Livco Sewer Company shall remain
5 suspended.

6 IT IS FURTHER ORDERED that Livco Water Company and Livco Sewer Company shall
7 file on or before May 3, 2003, updated test year data for the test year ending December 31, 2002.

8 IT IS FURTHER ORDERED that parties to the proceeding shall file an original and 13 copies
9 of all documents filed with the Commission's Docket Control and shall also serve copies to all parties
10 on the service list.

11 Dated this 13th day of March, 2003.



14 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

15
16 Copies of the foregoing mailed/delivered
this 13 day of March, 2003.

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